

Draft Environmental Assessment

Congregation Beth Israel
Community Synagogue
Improved Project
Change of Location

Jefferson Parish, Louisiana
October 2010

U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VI
Louisiana Transitional Recovery Office
New Orleans, Louisiana 70114



FEMA

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LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
ACM	Asbestos-Containing Material
APE	Area of Potential Effect
BMPs	Best Management Practices
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DFIRM	Digital Flood Insurance Rate Map
EA	Environmental Assessment
EIS	Environmental Impact Statement
USEPA	United States Environmental Protection Agency
EO	Executive Order
ESA	Endangered Species Act
EDMS	Electronic Document Management System
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LUST	Leaking Underground Storage Tank
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic & Atmospheric Administration
NRCS	Natural Resources Conservation Service
OSHA	Occupational Safety and Health Act
RECAP	Risk Evaluation/Corrective Action Program
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
SHPO	State Historic Preservation Office/Officer
US	United States
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

1.0 INTRODUCTION

1.1 Project Authority

In accordance with 44 Code of Federal Regulation (CFR) for the Federal Emergency Management Agency (FEMA), Subpart B – Agency Implementing Procedures, Section 10.9, an environmental assessment (EA) was prepared pursuant to Section 102 of the National Environmental Policy Act of 1969, as implemented by the regulations promulgated by the President’s Council on Environmental Quality (40 CFR Parts 1500-1508). The EA determines if a proposed change of location and reconstruction of the Congregation Beth Israel Community Synagogue in Jefferson Parish Louisiana will have the potential for significant adverse effects on the quality of the human and natural environment. The results of this EA will be used to make a decision whether to initiate preparation of an Environmental Impact Statement (EIS) or to prepare a Finding of No Significant Impact (FONSI).

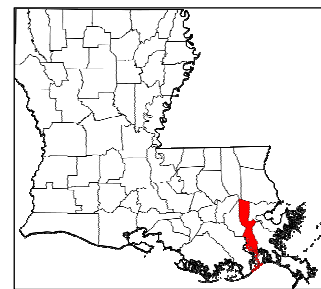
The Congregation Beth Israel Community Synagogue was deemed eligible by FEMA for federal disaster public assistance as a non-critical private non-profit organization serving the needs of the general public. The Community Synagogue provided community center services such as senior citizen projects, rehabilitation projects, blood drives, cleanup projects, and hosted meetings for the Boy Scouts, Girl Scouts, and Jewish Family Services. Additionally, the facility provided leased space to the International School of Louisiana, a private non-profit organization.

FEMA has deemed the former facility eligible for repairs and Beth Israel Congregation has determined that this repair would not meet the best needs of the community and has therefore, requested approval and federal grant funds for an Improved Project and change of location to replace the facility with a building providing similar function and capacity at a new location adjacent to their existing Congregation Gates of Prayer facility.

The proposed action is for replacement of the Congregation Beth Israel Community Synagogue 28,589 square foot facility at 7000 Canal Boulevard in New Orleans, Louisiana with a smaller 6,000 square foot facility at a site in Jefferson Parish at 4000 West Esplanade Avenue in Metairie, Louisiana, the Congregation Gates of Prayer facility. This action would include site preparation, building reconstruction and construction of necessary utilities and appurtenances.

1.2 Background

Jefferson Parish, in southeastern Louisiana, has a total area of 415,360 acres of which 236,416 acres is land and 178,944 acres is large water areas – streams, lakes, and bays of the Gulf of Mexico. The parish is bordered by Lake Pontchartrain on the north, the Gulf of Mexico on the south, St. Charles and Lafourche Parishes on the west, and Orleans and Plaquemines Parishes on the east. The population was 455,466 in 2000 and had decreased to 440,339 (estimated) or by approximately 3.3 percent in 2007, after Hurricane Katrina. Most of the population is centered in several municipalities in the northern part of the parish that are within the metropolitan area of the City of New Orleans.



Jefferson Parish was established in 1825 and was once a largely rural area of farms, dairies and vast tracts of undeveloped land; Jefferson Parish today is New Orleans' first suburb - a bedroom community west of the city that received the first great migration of middle-class families from the 1950's to the 1970's. The parish's largest community is Metairie, an unincorporated area that comprises almost all of East Jefferson and includes the proposed project site. Jefferson Parish is divided by the Mississippi River into the West Bank and East Bank areas. East Jefferson cities include Kenner and Harahan, while Gretna, Westwego, and Lafitte are in West Jefferson.

The parish is entirely in the Mississippi River Delta. The natural levees of the Mississippi River and its distributaries are dominated by firm, loamy and clayey soils. These soils make up about one third of the total land area of the parish and are developed almost entirely for urban uses. An extensive system of manmade levees protects these soils from flooding. The remaining two thirds of the land area consists mainly of ponded and frequently flooded, mucky soils in marshes and swamps.

Large acreages of former marshes and swamps have been drained and developed for urban uses including the area of the proposed Congregation Beth Israel Community Synagogue relocation project. Elevations range from about 12 feet above sea level on the natural levees along the Mississippi River to about 5 feet below sea level in the former marshes and swamps that have been drained.

Jefferson Parish was once agriculturally important and had large farms and plantations that produced sugarcane, cotton, rice, tobacco, indigo, and citrus trees. In the past 50 years, urban development has progressed rapidly, and almost all of the farmland has been taken over for industrial, business, and residential uses. Only a few small areas of cropland, woodland, and pasture remain.

In Jefferson Parish, the long summers are hot and humid, but the coastal area is frequently cooled by sea breezes. Winters are warm; occasionally, the season is interrupted by incursions of cool air from the north. Snowfall is rare. Rains occur throughout the year, and precipitation is adequate for nearly all crops. In winter the average temperature is 54 °F, and the average daily minimum temperature is 44 °F. In summer the average temperature is 81 °F and the average daily maximum temperature is 90 °F. The total annual precipitation is 59 inches. Of this, 33 inches or 56 percent usually falls in April through September.

Jefferson Parish is largely industrialized. In the mid-1900's, the establishment of oil and gas industries created a population boom. A chain reaction mushroomed into a hub of industrial activity that characterizes Jefferson Parish. Manufacturing plants and industry grew rapidly along the Mississippi River and the associated canals.

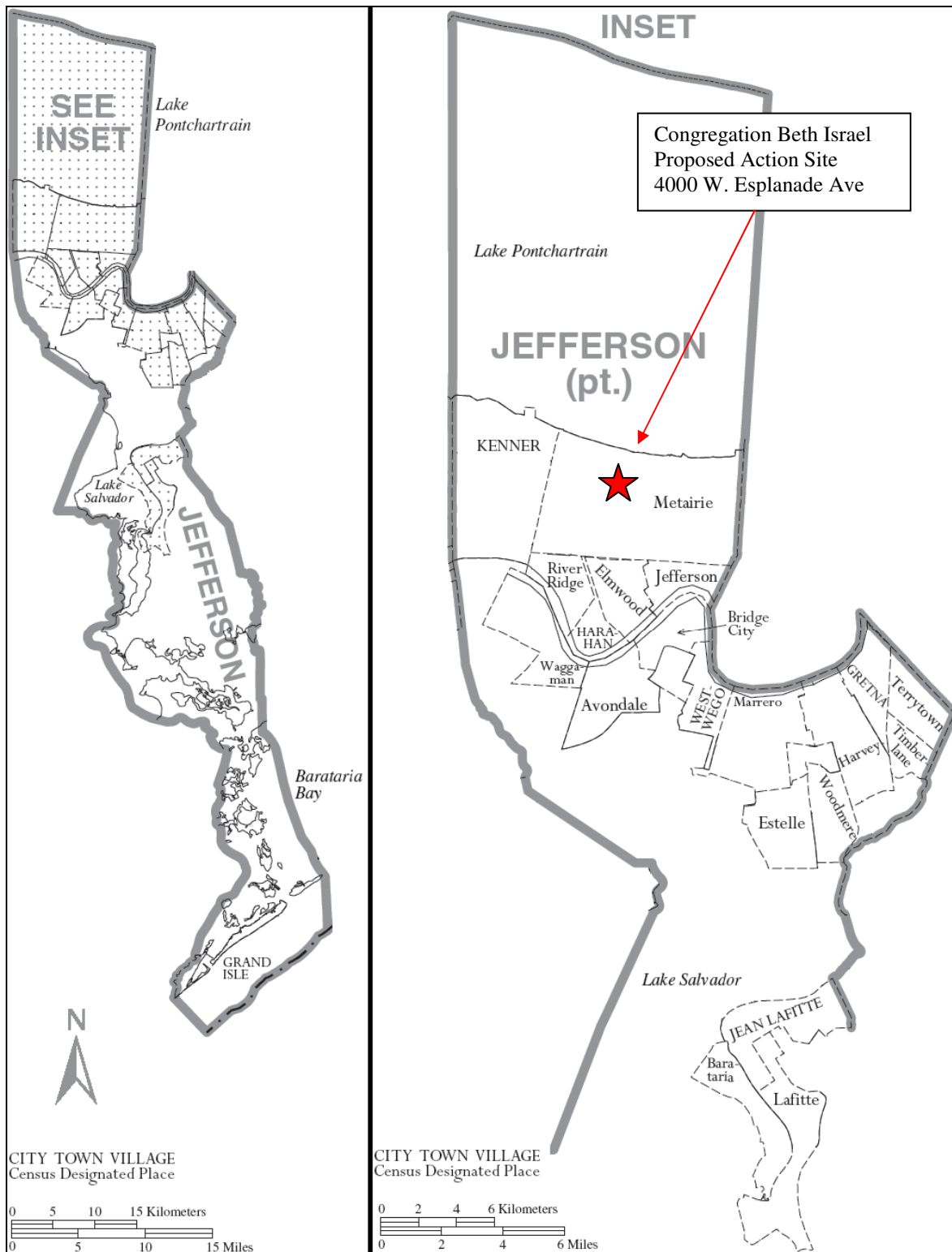


Figure 1 - Proposed Congregation Beth Israel Community Synagogue Site Location Jefferson Parish Map (Wikipedia®, 2010)



2.0 Purpose and Need for the Proposed Action

On August 29, 2005, Hurricane Katrina caused extensive damage in the state of Louisiana, which resulted in a presidentially declared major disaster, FEMA-1603-DR-LA. High winds, wind driven rain, and storm surge generated by the hurricane damaged the Congregation Beth Israel Community Synagogue, an approximately 28,589 square foot building located at 7000 Canal Boulevard, New Orleans, LA as shown in the photograph on the right.



Congregation Beth Israel seeks federal grant funds to replace the function, change the location and reconstruct the damaged facility functions in a new proposed location at 4000 West Esplanade Avenue S, Metairie, LA, the Congregation Gates of Prayer facility shown in the photograph to the left. Considerations to select alternatives included socioeconomic, technical, environmental and political factors, which were used to develop acceptable practicable alternatives. It has been determined by Congregation Beth Israel, with the assistance of the GOHSEP and FEMA that the best interests of the community would be better served by replacing the critical community functions through rebuilding at a new location approximately four miles west of the current location (Figures 2 through 5, Google Earth®).

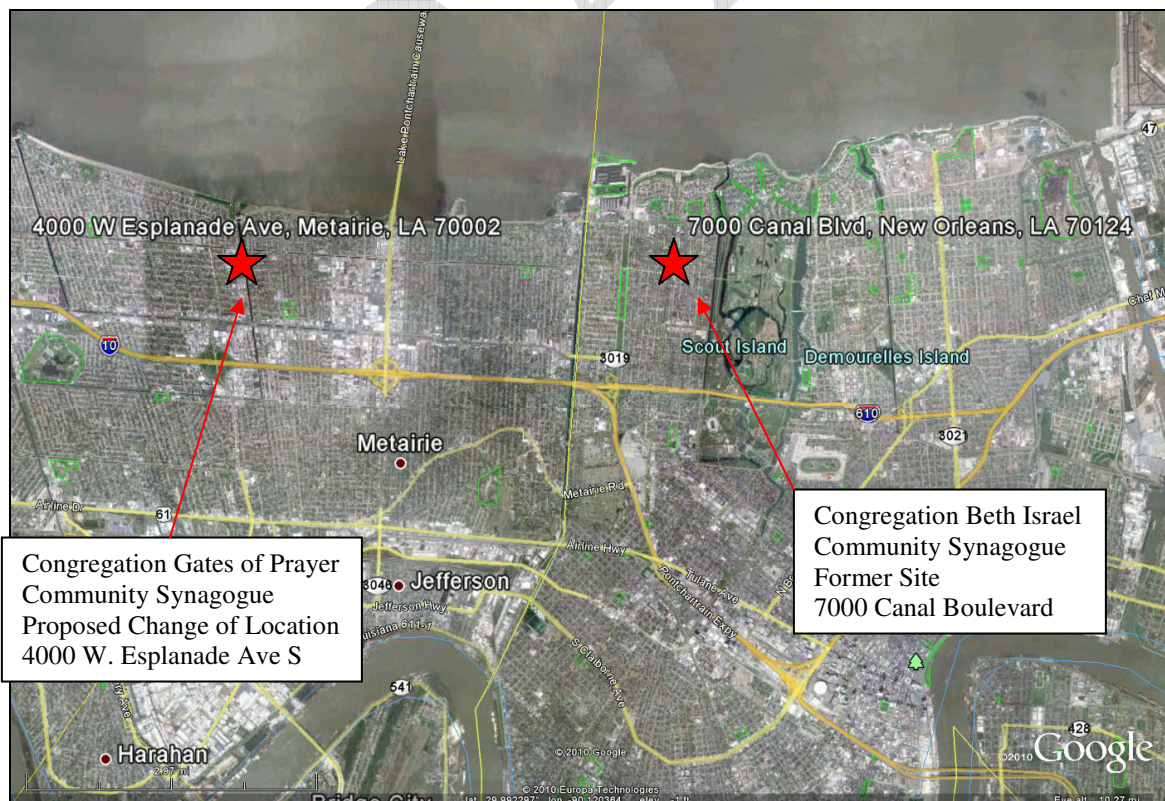


Figure 3 - Proposed Action – Change of Location - Former and New Site Locations (Google Maps®, 2010)



Figure 4 - Proposed New Location Site Layout (Google Maps®, 2010)



Figure 5 - Proposed Site Location with Current Site Layout (Google Maps®, 2010)

3.0 ALTERNATIVES

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking including its alternatives. The identification and evaluation of the purpose and need of a project is essential in establishing a basis for the development of the range of reasonable alternatives required in an EA and assists with the identification and eventual selection of a preferred alternative.

Three alternatives have been proposed and reviewed including, 1) the No Action Alternative, 2) Reconstruction of the Congregation Beth Israel Community Synagogue at the Proposed Alternate Location at Congregation Gates of Prayer, and 3) Reconstruction of the Congregation Beth Israel Community Synagogue at the original site.

The Congregation Beth Israel Community Synagogue was deemed eligible by FEMA for federal disaster public assistance as a non-critical private non-profit organization serving the needs of the general public. The Community Synagogue provided community center services such as senior citizen projects, rehabilitation projects, blood drives, cleanup projects, and hosted meetings for the Boy Scouts, Girl Scouts, and Jewish Family Services. Additionally, the facility provided leased space to the International School of Louisiana, a private non-profit organization.

3.1 Alternative 1 - No Action

Implementation of the No Action Alternative would entail no repair, reconstruction, or relocation of the Congregation Beth Israel Community Synagogue. Consequently, the community would be deprived of the benefits of this public facility and damaged facilities would continue to present hazards to the community. No Action would forego opportunities for reconstruction and recompense.

3.2 Alternative 2 – Community Synagogue Reconstruction at an Alternate Location - Proposed Action

The proposed action is for replacement of the Congregation Beth Israel Community Synagogue 28,589 square foot facility at 7000 Canal Boulevard in New Orleans, Louisiana with a smaller 6,000 square foot facility at a site in Jefferson Parish at 4000 West Esplanade Avenue in Metairie, Louisiana, the Congregation Gates of Prayer facility. This action would include site preparation, building reconstruction and construction of necessary utilities and appurtenances (see Site Construction Plans, Appendix D).

3.3 Reconstruction at the Original Site - Eliminated from Further Consideration

This alternative would reconstruct/repair the damaged Congregation Beth Israel Community Synagogue eligible facilities on the original site to the pre-disaster configuration, function and capacity in substantially the same footprint. This alternative was assessed in light of the needs of the community and rejected as a practicable alternative that would satisfy the project objectives within the existing environmental, technical, and social constraints.

4.0 AFFECTED ENVIRONMENT AND IMPACTS

4.1 Geology and Soils

According to the Louisiana Geological Survey (LGS), the geology in the vicinity of the site is predominantly Holocene alluvium, Mississippi River sedimentary deposits composed mainly of sands, silts and clays (LGS, 2008). Figure 6 is a generalized geology map for Louisiana showing the location of the proposed project site in Jefferson Parish.

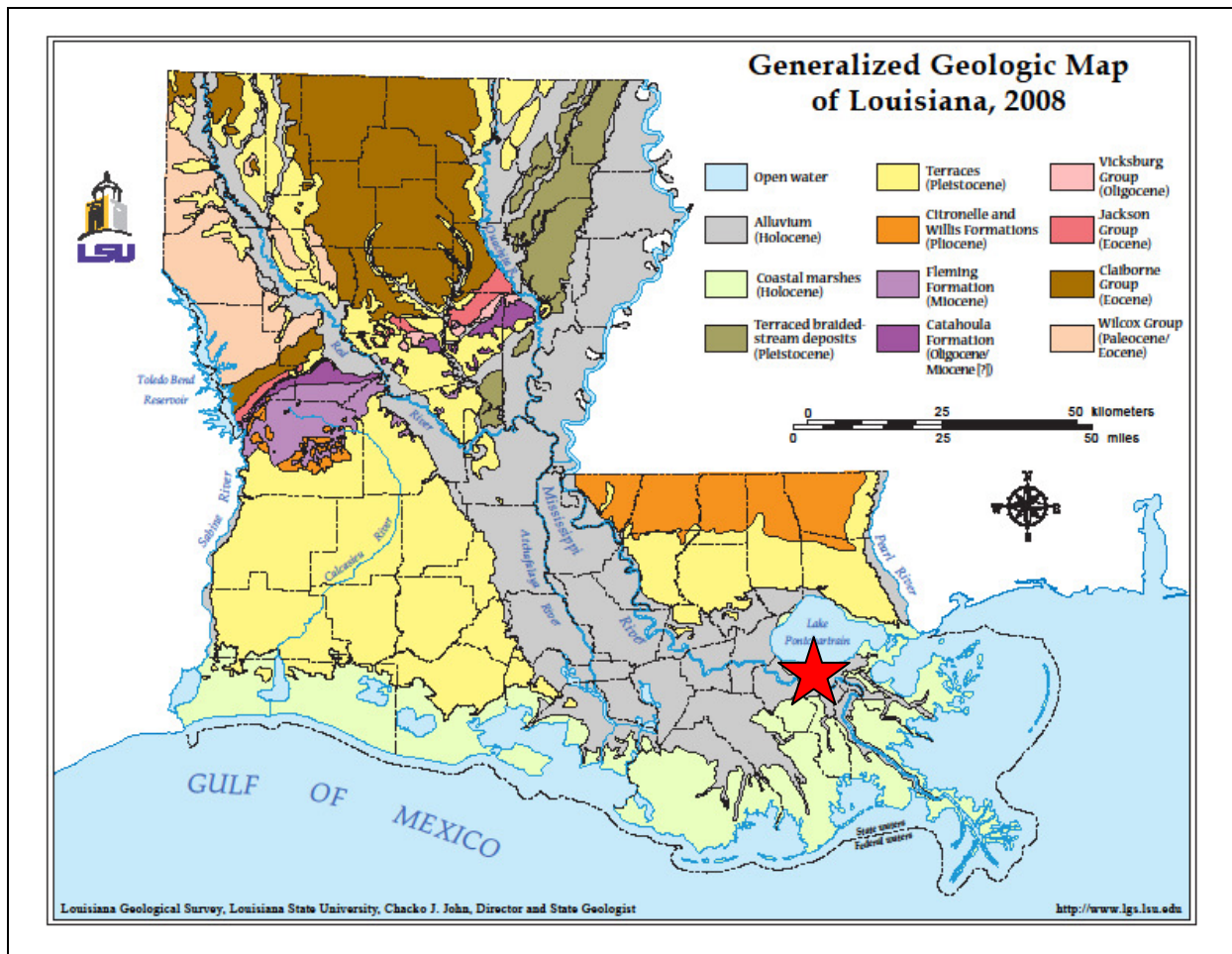


Figure 6 – General Geology Map of Louisiana (LGS, 2008)

The soils in Jefferson Parish vary widely in their potential for major land uses and urban development. Soils in the vicinity of the proposed project site include the Kenner muck, drained (USDA, 2010). This level, poorly drained organic soil is in the former freshwater marshes that have been drained and are protected by levees from most floodwaters. Areas of this soil range from 2,000 acres to 8,000 acres and are mainly in urban uses. Elevations range from 1 foot to 6 feet below sea level. Slope is usually less than 0.5 percent. In undisturbed areas, this soil typically has a surface layer of dark gray, very strongly acidic muck about 3 inches thick. The layer below that to a depth of about 48 inches is black muck. The underlying material to a depth of about 96 inches is black and very dark grayish brown muck. It has a few thin layers of gray clay. In places, stumps and logs are in the underlying material.

This Kenner soil is drained by pumps and protected from flooding by levees. Under normal conditions, the water table is at a depth of about 2 to 4 feet below the ground surface. After high intensity rains of long duration, the water table is near the ground surface for short periods. Flooding is rare, but it can occur during hurricanes and when water pumps or protection levees fail. Permeability is rapid in the organic material and very slow in the mineral material. Although the surface has been covered with mineral fill material, cracks in the surface layer remain open and extend into the underlying material. Water and air move freely through these cracks. Natural fertility is high. The content of organic matter is very high. Available water capacity is very high. The shrink-swell potential is low in the organic material and high in the mineral material. The total subsidence potential is high (USDA, 2010).

This soil is poorly suited to most urban uses or intensive forms of recreation. Flooding, wetness, subsidence, and low strength are the main limitations. When the water table is lowered through drainage, the organic matter oxidizes and slowly subsides. If this soil type is used for buildings, pilings and special foundations are needed.

The Farmland Protection Policy Act (FPPA: P.L. 97-98, Sec. 1539-1549; 7 U.S.C. 4201, *et. seq.*) was enacted in 1981 to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. Programs administered by federal agencies must be compatible with state and local farmland protection policies and programs. The Natural Resources Conservation Service (NRCS) is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of an essential food or environmental source. Prime farmland is characterized as land with the best physical and chemical characteristics for production of food, feed, forage, fiber and oilseed crops (USDA 1989).

Although the entire proposed site has been determined to be previously disturbed urban land, FEMA initiated consultation with the NRCS on August 8, 2010, regarding potential impacts to prime and unique farmland as defined in 7 CFR §658.2(a). No response from NRCS was received. This entire site has been filled and disturbed and has been converted to urban use and no farmland value endures. As a result the Farmland Protection Policy Act does not apply.



Figure 7 - USDA Soil Map Kenner Muck – Drained (USDA, 2010)

Alternative 1 – No Action: The No Action Alternative would have no impact to geology or soils, because no construction would occur at the site.

Alternative 2 – Proposed Action: The Proposed Action Alternative would temporarily impact soils during site preparation and building construction. Soils would be exposed during grading, foundation work and trenching for utilities. Additionally, installation of the proposed building would result in the compaction of the underlying soil. The soil around the newly constructed facility could be more susceptible to erosion if adequate drainage and vegetation is not used.

After consultation and consideration of potential impacts to geology and soil, it was determined that implementation of the proposed project would result in minor and localized short-term and long-term impacts. Soil erosion would be minimized by the implementation of Clean Water Act required Best Management Practices (BMPs) such as using silt fencing, covering stockpiled soils, mulching cleared areas and revegetating with native species. The Congregation Beth Israel Community Synagogue is expected to use BMPs to minimize impacts to soil.

4.2 Water Resources

The principal source of surface water in Jefferson Parish is the Mississippi River. Four large public water suppliers in the parish supply water for the parish. Despite the variable water quality of the Mississippi River, drinking water in Jefferson Parish has continued to be of a very high quality (Jefferson Parish Water, 2010). Jefferson Parish produces and delivers a high quality, reliable water supply to all residences, businesses and industries located within the Parish on the East and West Banks of the Mississippi River. Currently, the water department provides water utility services to approximately 140,000 accounts.

Ground water is produced from several types of sand aquifers in Jefferson Parish. The major aquifers are 1) the shallow aquifers, 2) the 200-foot sand aquifer, 3) the 400-foot sand aquifer, 4) the 700-foot aquifer, and 5) the 1,200-foot sand aquifer. The shallow aquifers in the parish are of the three types: small, isolated near-surface sands; point bars; and distributary channel deposits. The near-surface sands are of little importance as aquifers for water sources because they do not have potable water and they are not extensive enough to supply large quantities of water. Point bars are deposits of poorly graded fine sand that are on the inside bends of the Mississippi River and grow riverward as the bends migrate. Test wells in this formation produced moderate yields in the vicinity of the proposed site. Most wells in point bars yield only a few gallons per minute.

Distributary channel deposits of sand are in the Metairie Branch of the St. Bernard Delta located between the Mississippi River and Lake Pontchartrain, the location of the proposed reconstruction site. Water obtained from this source has a chloride content of more than 250 parts per million. Although the 200-foot aquifer is present in the vicinity of the proposed project site, only small areas yield water that has a chloride content of less than 250 parts per million.

4.2.1 Wetlands

The United States Army Corps Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act. Wetlands are identified as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The USACE also regulates the building of structures in waters of the U.S. pursuant to the Rivers and Harbors Act (RHA).

Executive Order (EO) 11990, Protection of Wetlands, directs federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects. FEMA regulations for complying with EO 11990 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands. The U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) Map shows no wetlands within the proposed project area that could be adversely affected by the project (Figure 8, USFWS 2010). In correspondence sent August 2, 2010, the USACE indicated that the proposed project site is not within a wetland subject to USACE jurisdiction and that no federal permit would be required for the placement or redistribution of dredged or fill material on the proposed project site (Appendix B).

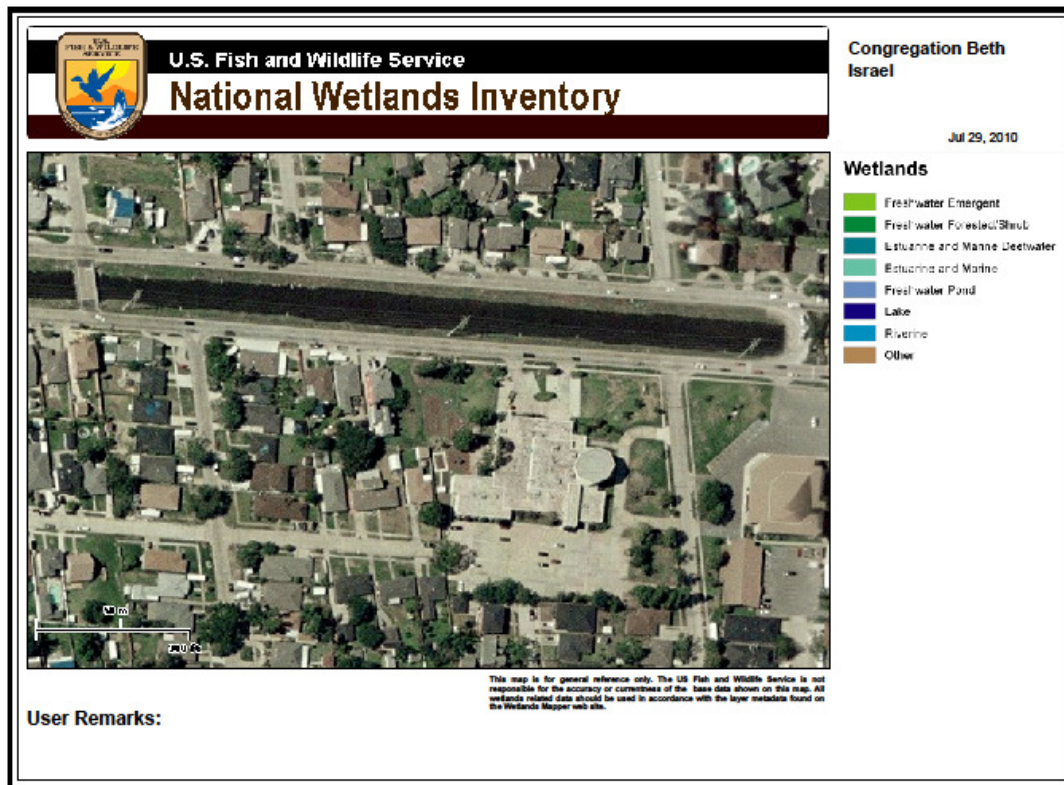


Figure 8 - U. S. Fish and Wildlife Service Wetlands Inventory Map (USFWS, 2010)

Alternative 1 – No Action: The No Action Alternative would have no impact on wetlands or other waters of the U.S. and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

Alternative 2 – Proposed Action: The Proposed Action Alternative would have no impact on wetlands or other waters of the U.S. FEMA has determined that the proposed site is an urban previously-disturbed site and is not a jurisdictional wetland under Executive Order 11990 and does not have the potential to adversely affect jurisdictional or non-jurisdictional wetlands. The project as proposed would not require permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

To minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the well-defined urban drainage ways surrounding the proposed action the following best management practices will be included into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, fences, etc. will be placed where and as needed, fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations, and

marking vegetative areas associated with the identified sensitive areas as being off-limits to construction tasks with flags and/or flagging tape.

4.2.2 Floodplains

Executive Order 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA's regulations for complying with EO 11988 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands. FEMA uses the National Flood Insurance Program (NFIP) preliminary Digital Flood Insurance Rate Maps (DFIRM) to determine the flood hazard zone for the proposed project location.

In compliance with FEMA policy implementing EO 11988, Floodplain Management, the proposed project was reviewed for possible impacts associated with occupancy or modification to a floodplain. Jefferson Parish enrolled in the NFIP on March 30, 1970. Per preliminary DFIRM panel number 22 051C 0120 F dated October 30, 2008; the proposed project site is located in a Special Flood Hazard Area (SFHA) flood hazard zone AE (EL minus 5) in an area protected by levees from the base flood (Figure 10).

This is a special flood hazard area subject to inundation by the 1 percent annual chance flood (*i.e.*, the 100-year flood). Per 44 CFR §9.11(d) (9), the replacement of building contents, materials and equipment, where possible, requires disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the base flood elevation (BFE).

Alternative 1 – No Action: As no building would be constructed at the site the No Action Alternative would have no impact on the 100-year flood plain.

Alternative 2 – Proposed Action: The Proposed Action Alternative would involve the relocation of the functions of the Congregation Beth Israel Community Synagogue to the proposed site within the 100-year floodplain. The ground surface at the proposed project site is at an elevation about minus-4 feet relative to mean sea level (msl), and is within a SFHA subject to inundation by the 1 percent annual chance (100-year) flood. It is within a SFHA zone designated AE (EL minus 5) (North American Vertical Datum 1988).

This EA forms part of the Eight Step Planning Process outlined in 44 CFR Part 9. No acceptable practicable alternatives outside of the SFHA were identified by Congregation Beth Israel Community Synagogue or GOHSEP. Mitigation of adverse impacts must be accomplished by incorporation of mitigation and minimization measures including compliance with relevant codes and standards and elevation or flood proofing of the proposed building and appurtenances to or above the BFE.

These projects must be conducted in accordance with conditions for federal actions in the floodplain as set forth in presidential Executive Order 11988, Floodplains, and presidential Executive Order 11990, Wetlands, and the implementing regulation found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands. These regulations apply to all Agency

actions which have the potential to affect floodplains or wetlands or their occupants, or which are subject to potential harm by location in floodplains or wetlands.

Additionally, all FEMA Public Assistance grant funded projects carried out in the floodplain or affecting the floodplain must be coordinated with the local floodplain administrator for a floodplain development permit and the action must be undertaken in compliance with relevant, applicable and required local codes and standards and thereby, will reduce the risk of future flood loss, minimize the impacts of floods on safety, health, and welfare, and preserve and possibly restore beneficial floodplain values as required by Executive Order 11988.

Restoration projects conducted with Public Assistance grant funds must be carried out in accordance with the local floodplain management plan and ordinance and shall utilize the current preliminary DFIRM as the “best available data” as a minimum standard. Exceptions to this requirement shall be reported to the Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), FEMA Environmental, and the local floodplain manager before undertaking the action.

DRAFT

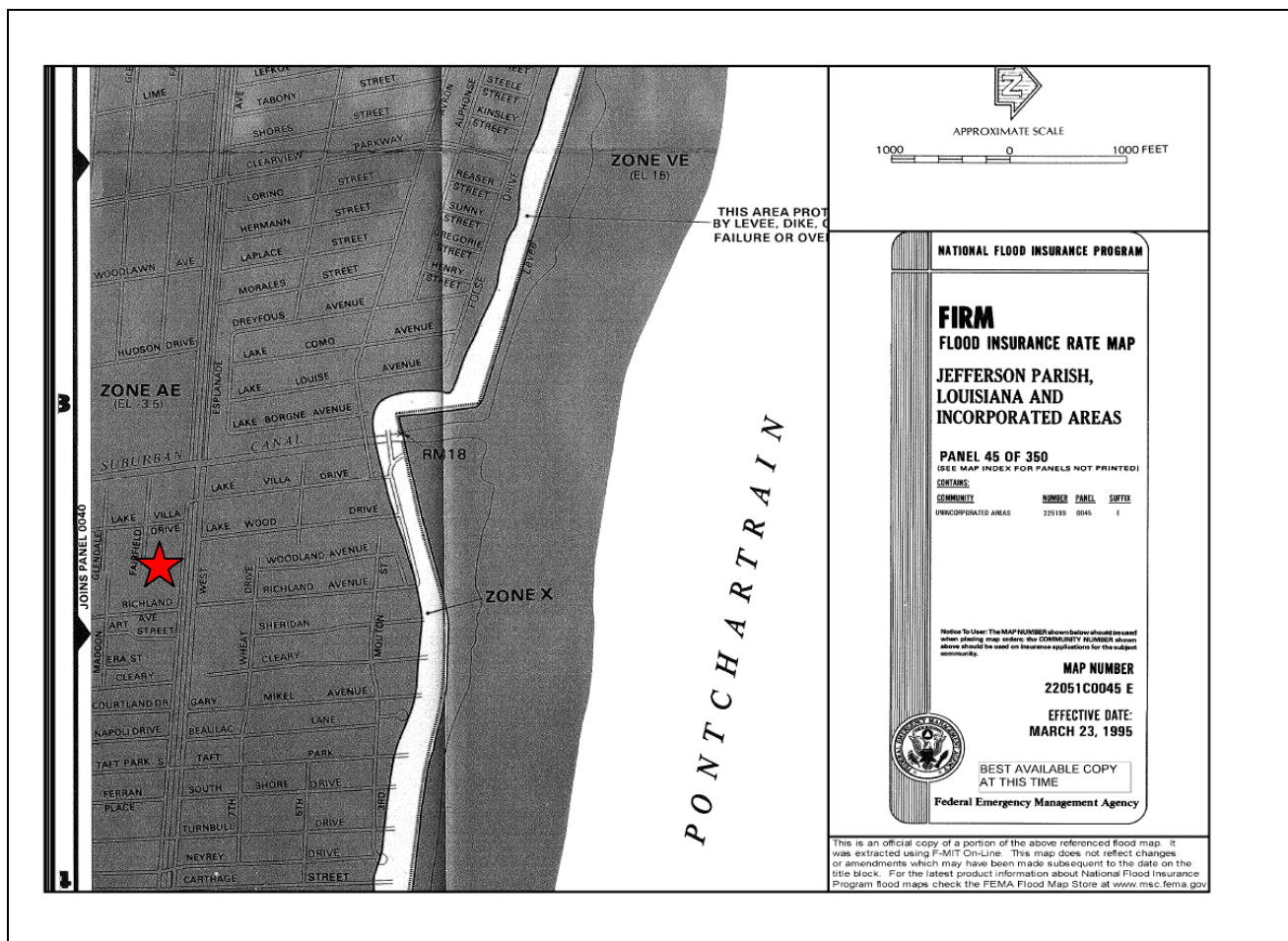


Figure 10 - Effective Flood Insurance Rate Map Panel 22 051C 0045 F, March 23, 1995 (FEMA Map Service Center, 2010)

4.3 Coastal Resources

The Coastal Zone Management Act of 1972 (CZMA) requires federal agency actions to be consistent with the policies of the state coastal zone management program when conducting or supporting activities that affect a coastal zone. The Louisiana Department of Natural Resources (LDNR) regulates development in Louisiana's designated coastal zone through the Coastal Use Permit Program. The existing facility and the proposed project site are located in the coastal zone and are required to obtain a Coastal Use Permit prior to construction.

The USFWS regulates federal funding in Coastal Barrier Resource System (CBRS) units under the Coastal Barrier Resources Act (CBRA). This Act protects undeveloped coastal barriers and related areas (*i.e.*, Otherwise Protected Areas) by prohibiting direct or indirect federal funding of projects that support development in these areas. The Act promotes appropriate use and conservation of coastal barriers along the Gulf of Mexico. The proposed project site is not located within a regulated CBRS unit.

Alternative 1 – No Action: The No Action Alternative would have no adverse effects on a coastal zone or to a CBRS unit.

Alternative 2 – Proposed Action: The Proposed Action Alternative would involve construction in a designated coastal zone. This project requires a Coastal Use Permit from LDNR. Congregation Beth Israel Community Synagogue is required to contact LDNR prior to initiating work. The proposed site is not within a CBRS unit; therefore, the Proposed Action Alternative does not trigger the CBRA.

4.4 Biological Resources

The Endangered Species Act (ESA) of 1973 prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the National Marine Fisheries Service. "Take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Harm is further defined by the ESA regulations to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering.

This project has been reviewed by the USFWS for effects to federal trust resources under their jurisdiction and currently by the Endangered Species Act of 1973. It has been determined that the project, as proposed, "will have no effect on those resources."

Alternative 1 – No Action: The No Action Alternative would have no impact on species federally listed as threatened or endangered.

Alternative 2 – Proposed Action: Inspections of the proposed relocation site did not indicate the presence of any species federally listed as threatened or endangered. In correspondence dated August 16, 2010, the USFWS stated that the project, as proposed, would have no effect on federal trust resources under its jurisdiction and currently protected by the ESA (Appendix B). The National Oceanic & Atmospheric Administration (NOAA) National Marine Fisheries

Service (NMFS) had no comment to the project scoping notification sent on August 2, 2010 (Appendix B).

The Proposed Action Alternative would result in the clearance of maintained vegetation and would result in disturbance of any wildlife species in the vicinity. The impacts to wildlife and vegetative resources are expected to be minor and localized.

4.5 Cultural Resources

The consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA) as implemented by 36 CFR Part 800. Requirements include the identification of significant historic properties that may be impacted by the proposed action or alternatives within the project's area of potential effect. Historic properties are defined as archaeological sites, standing structures or other historic resources listed in or determined eligible for listing in the National Register of Historic Places. If adverse effects on historic, archaeological or cultural properties are identified, agencies must consider effects of their activities and attempt to avoid, minimize, or mitigate the impacts to these resources.

FEMA, the Louisiana State Historical Preservation Office (SHPO), the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation have executed a Statewide Programmatic Agreement (PA) dated August 17, 2009 to streamline the Section 106 review process (hereafter referred to as the Statewide PA).

Alternative 1 - No Action Alternative: This alternative would not affect any cultural resources.

Alternative 2 - Proposed Action Alternative: A review of this project was conducted in accordance FEMA's Programmatic Agreement dated August 17, 2009. FEMA has determined that No Historic Properties are affected by the undertaking. SHPO agreed with this determination in a response letter written on August 23, 2010 although they classify the project as after-the-fact consultation.

Consultation with affected tribes (list) was conducted per 36 CFR §800.2 (c) (2) (i) (B). No tribal responses were received. The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 *et seq.*) and the Inadvertent Discovery Clause, which can be found under the Environmental Review NHPA conditions. Any change to the approved scope of work will require reevaluation under Section 106.

4.6 Air Quality

The Clean Air Act (CAA) of 1963, as amended, provides for federal protection of air quality by regulating air pollutant sources and setting standards for air pollutants. Under the CAA, states

adopt ambient air quality standards in order to protect the public from potentially harmful amounts of pollutants. Under the CAA, the U.S. Environmental Protection Agency (EPA) establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings.

EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone (O₃), particulate matter (PM_{2.5}, PM₁₀), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), and lead (Pb). According to EPA, Jefferson Parish, Louisiana is classified as in attainment, meaning that criteria air pollutants do not exceed the NAAQS (EPA 2009).

Alternative 1 - No Action Alternative: Under the No Action Alternative, there would be no short- or long-term impacts to air quality because no construction would occur.

Alternative 2 - Proposed Action Alternative: To further minimize temporary air quality impacts, Congregation Beth Israel Community Synagogue and its contractors shall implement BMPs to limit emissions, fugitive dust and exhaust during project activities. BMPs would include maintaining and covering spoil piles, covering the loads of haul vehicles, and keeping construction equipment properly tuned. Long-term emissions associated with the new facility, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power, are expected to be minor and comparable to emissions generated by the previously existing facilities. As the new facility is smaller and more modern, there may be a decrease in emissions.

4.7 Noise

Commonly defined as unwanted and/or unwelcome sound, noise is federally regulated by the Noise Control Act of 1972. Although this Act tasks the USEPA with preparing guidelines for acceptable ambient noise levels, it only charges those federal agencies that operate noise-producing facilities or equipment to implement noise standards. Therefore, by the nature of its mission, FEMA does not have statutes defining noise; however, Jefferson Parish Council’s Code of Ordinances (Section 20-102) has made it unlawful to exceed maximum permissible sound limits in residential, noise-sensitive areas of public spaces.

The Ordinance places this restriction on any machinery, equipment or device that makes or causes a noise that exceeds 60 decibels between 7:00 a.m. and 9:59 p.m. and a noise that exceeds 55 decibels between 10:00 p.m. and 6:59 a.m., as monitored from the exterior of the property where the source of the sound is located. Repairs performed by public agencies or utility companies are exempted from this restriction.

Alternative 1 – No Action: The No Action Alternative would have no noise impacts on sensitive receptors.

Alternative 2 – Proposed Action: The construction of the new Congregation Beth Israel Community Synagogue would result in a temporary increase in noise levels at and around the proposed project site because of the operation of construction equipment and increased vehicular activity. Noise-sensitive receptors are subject to stress or significant interference from noise. Examples include residential dwellings, mobile homes, hotels, motels, hospitals, nursing homes, educational facilities, libraries and places of worship. There are residential dwellings approximately 50 feet south and west of the proposed project site. A reconnaissance on September 2, 2010, indicated no other noise-sensitive receptors in the vicinity of the proposed project site. The increased noise at other times would be localized and short-term.

After the construction of the new facility, there would be increased noise at and around the facility due to increased occupancy of the previously developed site. Noises from vehicular traffic to the facility and day-to day operation and maintenance of the facility are expected. These long-term effects would have minimal to no significant adverse impact on people in the vicinity of the proposed project.

4.8 Traffic

The proposed project site lies at the southwest quadrant of the intersection of West Esplanade Avenue S and Richland Avenue in Metairie. Entrances onto the site are from both West Esplanade Avenue on the north and from Richland Avenue on the east, which provide direct vehicular site access and egress. Parking is provided on the north and south of the existing Congregation facility.

Alternative 1 – No Action: As the building would not be constructed there would be no increase in traffic, therefore, the No Action Alternative would have no impact on traffic.

Alternative 2 – Proposed Action: The Proposed Action Alternative would have a temporary influence on traffic by slightly increasing the number of heavy vehicles on the two adjoining roadways. Construction traffic shall be monitored for potential traffic incidents and suitable traffic control measures must be taken by Congregation Beth Israel and the onsite workers as needed. A long-term increase in traffic and increased demand for parking will result from the construction of the new facility but the effects are anticipated to be planned into the proposed construction and result in minimal and negligible change to the current conditions.

4.9 Safety

Safety and security issues considered in this EA include the health and safety of the area residents and the general public that would be affected by the Congregation Beth Israel Community Synagogue action, and the protection of personnel involved in activities related to implementation of the proposed project.

Project implementation may result in an insignificant long-term impact to traffic and resulting highway safety along adjoining roadways due to workers and visitors accessing the site. The Occupational Safety and Health Act of 1970 (OSHA) seeks to prevent work-related injuries, illnesses, and deaths by issuing and enforcing standards for workplace safety and health. The

health, safety, and security of construction workers, area residents, and the general public as related to the project alternatives are considered in this section.

Alternative 1 – No Action: The No Action Alternative would leave a damaged building in a state of disrepair but otherwise would have no impact on the health, safety, and security.

Alternative 2 – Proposed Action: The Proposed Action Alternative could temporarily impact the safety of workers and others in the vicinity of the project site during construction. The safety of site workers would be dependent on the policies, knowledge, experience and diligence of the workers. Congregation Beth Israel Community Synagogue and its contractors shall ensure that project activities are conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.

In the long term, the Proposed Action Alternative may positively impact the health, safety, and security of residents of the project area as more workers and visitors would be present to provide a source of concerned citizenry and good Samaritans.

4.10 Hazardous Materials

The management of hazardous materials is regulated under various federal and state environmental and transportation laws and regulations, including the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation, and Liability Act; the Emergency Planning and Community Right-to-Know Act; the Hazardous Materials Transportation Act; and the Louisiana Voluntary Investigation and Remedial Action statute. The purpose of the regulatory requirements set forth under these laws is to ensure the protection of human health and the environment through proper management (identification, use, storage, treatment, transport, and disposal) of these materials. Some of these laws provide for the investigation and cleanup of sites that have already been contaminated by releases of hazardous materials, wastes, or substances.

A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located on the proposed site. No sites of concern were found during a review of other hazardous waste management and disposal, solid waste disposal, storage tank, enforcement, and other databases on the proposed site. There are no recorded oil and gas wells on or near the proposed property.

A search of the Louisiana Department of Environmental Quality (LDEQ) Leaking Underground Storage Tank (LUST) database revealed no recorded LUST sites within 0.25 miles of the site. A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located within 0.5 miles of the site.

Alternative 1 – No Action Alternative: The No Action alternative would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 2 – Proposed Action Alternative: Findings indicate that no hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the

proposed site. If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination shall be initiated in accordance with applicable federal, state, and local rules and regulations.

Project construction may involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials shall be taken, and any hazardous and non-hazardous wastes generated shall be disposed of in accordance with applicable federal, state, and local requirements.

4.11 Socioeconomics

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was signed on February 11, 1994. The EO directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing, as appropriate, disproportionately high adverse human health, environmental, economic, and social effects of its programs, policies and activities on minority or low-income populations. Congregation Beth Israel Community Synagogue proposes to render its Orleans Parish site “safe and secure” and to relocate its functions to the proposed new facility on its existing facility in Jefferson Parish, a public center serving similar community support functions.

According to the U.S. Bureau of the Census statistics for Jefferson Parish for 2009, 58.3 percent of the population is white, 26.9 percent is black, 9.9 percent is Hispanic, 3.7 percent is Asian, 0.6 percent is Native American, and 0.1 percent is Native Hawaiian. The Census reports that in Orleans Parish 33.3 percent of the population is white, 62.3 percent is black, 4.7 percent is Hispanic, 2.9 percent is Asian, 0.3 percent is American Indian, and 0.1 percent is Native Hawaiian. In Jefferson Parish, the median household income in 2008 was \$47,065 and 12.9 percent of households earned below the poverty level. In Orleans Parish, the median household income was \$37,047 and 22.9 percent of households earned below the poverty level.

Alternative 1 – No Action: The No Action Alternative would not involve the implementation of a federal program, policy or activity. Therefore, EO 12898 does not apply.

Alternative 2 – Proposed Action: The Proposed Action Alternative to construct the Congregation Beth Israel Community Synagogue is located in a special flood hazard area and risks public investment. However, the activity is not expected to have disproportionate adverse human health, economic, or social effects and potential adverse effects can be minimized and mitigated through adherence to appropriate and relevant codes and standards. The activity would add development to a currently developed parcel of previously-disturbed urban land, and much of the surrounding land near the proposed site is currently developed. Residential neighborhoods begin approximately 50 feet west and south of the proposed project site (see Figure 3). The proposed facility would serve residents living throughout Jefferson and Orleans Parishes. Therefore, EO 12898 does not apply.

5.0 CUMULATIVE IMPACTS

Cumulative impacts are those effects on the environment that result from the incremental effect of the action when added to past, present and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. There are no other known projects that, when added to the proposed action, would have a significant cumulative adverse impact on the human environment.

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6.0 CONDITIONS AND MITIGATION MEASURES

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by Congregation Beth Israel (Applicant) prior to and during project implementation.

- To minimize soil impacts, Congregation Beth Israel shall ensure contractors implement BMPs such as using silt fencing, covering stockpiled soils, mulching cleared areas and revegetating.
- A Storm Water Management Plan shall be prepared and BMP's for storm water management shall be implemented to minimize any detrimental effects to water quality during project implementation.
- Congregation Beth Israel is required to coordinate construction activities with the local floodplain administrator and comply with the local floodplain ordinance. All permits and certificates, and all the associated coordination, must be documented and provided to the GOHSEP and to FEMA as part of the permanent project file. The lowest floor of the new structure must be elevated or flood proofed to or above the base flood elevation. Future losses shall be eliminated, reduced or minimized by relocating building contents, materials and equipment to or above the BFE.
- Fill or borrow material used must be sourced from sites that do not contain any buried cultural materials (*i.e.*, wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, Congregation Beth Israel and/or its contractors must immediately stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant and GOHSEP must inform the FEMA Public Assistance program, who would in turn contact the FEMA Historic Preservation staff. The Applicant must not proceed with work until FEMA completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act is required. In that situation, the Applicant must notify the local law enforcement agency within 24 hours of the discovery, and notify FEMA and the Louisiana Division of Archaeology at (225) 342-8170 within 72 hours of the discovery. Failure to comply with these stipulations may jeopardize FEMA funding of the project.
- To minimize air quality impacts, Congregation Beth Israel and its contractors must implement BMPs to limit air emissions, fugitive dust and exhaust. BMPs would include maintaining and covering spoil piles, covering the loads of haul vehicles and keeping construction equipment properly tuned.
- Construction traffic must be monitored for potential traffic safety incidents and suitable traffic control measures shall be taken by Congregation Beth Israel and their contractors as needed.

- Congregation Beth Israel and its contractors must ensure all project activities are conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.
- Project construction would involve the use of potentially hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous and non-hazardous wastes are required to be disposed in accordance with applicable federal, state and local regulations.
- If hazardous constituents are unexpectedly encountered, appropriate measures for the proper assessment, remediation, and management of the contamination must be initiated in accordance with applicable federal, state and local regulations.
- The project has been found by the LDNR to be inside the Louisiana Coastal Zone; therefore, they require that a complete Coastal Use Permit Application package (Joint Application Form, locality maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee be submitted to their office prior to construction. Additionally, the area where the project is located is all or part of the aboriginal homelands of the Chitimacha Tribe of Louisiana and as such large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of work, any traditional cultural properties are discovered, the Applicant must immediately contact Kimberly S. Walden (LDNR Cultural Director) or Melanie Aymond (LDNR Research Coordinator) at (337) 923-9923 or (337) 923-4395 or their designated official alternate.

7.0 PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

FEMA is the lead federal agency for conducting the NEPA compliance process for this Public Assistance project. It is the responsibility of the lead agency to conduct the preparation and review of NEPA documents in a way that is responsive to the needs of the Parish communities while meeting the spirit and intent of NEPA and complying with all NEPA provisions. As part of the development of early interagency coordination related to the proposed action, state and federal resource protection agencies were contacted and FEMA distributed an informal scoping notification through a Solicitation of Views.

These agencies include the State Historical Preservation Officer, U. S. Fish and Wildlife Service, the U.S. Department of Agriculture Natural Resources Conservation Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, U. S. Environmental Protection Agency, Louisiana Department of Natural Resources, U. S. Army Corps of Engineers, and National Oceanic & Atmospheric Administration National Marine Fisheries Service. FEMA has received no objections to the project as proposed subsequent to these notifications and comments and conditions received have been incorporated into this NEPA document.

In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

FEMA is inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published for 5 days in the local newspaper, *The Times-Picayune*, announcing the availability of this EA for review at the Jefferson Parish Main Library at 4747 West Napoleon Avenue, Metairie, LA. A copy of the Public Notice is attached in Appendix C.

8.0 CONCLUSION

Construction of the new Congregation Beth Israel Community Synagogue facility at the proposed new location was analyzed based on the studies, consultations, and reviews undertaken as reported in this draft EA. The findings of this EA conclude that the proposed action at the proposed site would result in no significant adverse impacts to geology, groundwater, floodplains, public health and safety, hazardous materials, socioeconomic resources, environmental justice, or cultural resources are anticipated under the Proposed Action Alternative. During project construction, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated and conditions have been incorporated to mitigate and minimize the effects.

Project short-term adverse impacts would be mitigated using BMPs, such as silt fences, proper vehicle and equipment maintenance, and appropriate signage. No long-term adverse impacts are anticipated from the proposed project. Therefore, FEMA presently finds the proposed action meets the requirements for a Finding of No Significant Impacts (FONSI) under NEPA and the preparation of an EIS will not be required. If new information is received that indicates there may be significant adverse effects, then FEMA would revise the findings and issue a second public notice, for additional comments. However, if there are no changes, this Draft EA will become the Final EA.

9.0 LIST OF PREPARERS

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Tiffany Spann – Environmental Team Supervisor

Daphne Owen – Historic Preservation Specialist

Tracey Dean – Historic Preservation Specialist

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Appendix A

Site Photographs

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Appendix B

Agency Correspondence

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Appendix C

Public Notice

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**FEMA PUBLIC NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL ASSESSMENT FOR
CHANGE OF LOCATION OF THE CONGREGATION BETH ISRAEL
COMMUNITY SYNAGOGUE FACILITY, JEFFERSON PARISH,
LOUISIANA**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared an Environmental Assessment (EA) for a proposed relocation and reconstruction of the Hurricane Katrina damaged Congregation Beth Israel Community Synagogue formerly located at 7000 Canal Boulevard, New Orleans, Louisiana. The proposed Community Synagogue would replace the functions and capacity eligible for repair at the original facility in a new location adjacent to the Congregation Beth Israel Synagogue located at 4000 West Esplanade Avenue, Metairie, LA at latitude 30.015147 longitude -90.176936. Congregation Beth Israel seeks federal grant funds for this action eligible for repairs under a Presidential Disaster Declaration, signed on August 29, 2005 (FEMA-1603-DR-LA).

This proposed action would include developing an approximately 1-acre site (termed "Proposed Congregation Beth Israel Community Synagogue Reconstruction Site") adjacent to and on the south side of West Esplanade Avenue approximately 200 feet west of its intersection with Richland Street, Jefferson Parish, Louisiana. This would include constructing an approximately 6,000 square foot building, to mainly service the current needs in this community and the surrounding areas. Activities would include, where necessary, site clearing, grading, driveway construction, and placement of appurtenant utilities (electricity, telephones, water, and sewer) for the site. Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a Draft EA has been prepared to evaluate the action's potential impacts on the human and natural environment. The Draft EA summarizes the purpose and need, site selection process, affected environment, and potential environmental consequences associated with the proposed action.

The public comment period will be 15 days – **October 27, 2010 through** November 11, 2010. Written comments on the Draft EA or related matters can be faxed to FEMA's Transitional Recovery Office at (504) 762-3232; or mailed to FEMA Transitional Recovery Office, 1 Seine Court, New Orleans, Louisiana 70114. The Draft EA can be viewed and downloaded from FEMA's website: <http://www.fema.gov/plan/ehtp/envdocuments/ea-region6.shtm> . A public notice will be published for 5 days in the local newspaper, *The Times-Picayune* announcing the availability of the Draft EA for public review at the Jefferson Parish Main Library at 4747 West Napoleon Avenue, Metairie, LA (hours are 8:00 AM to 4:30 PM, Mon-Fri).

Based on FEMA's findings to date, no significant adverse environmental effects are anticipated. However, if FEMA receives new information that results in a change from no adverse effects then FEMA would revise the findings and issue a second public notice allowing time for additional comments. However, if there are no changes, this Draft EA will become the Final EA.

If no substantive comments are received, the Draft EA and associated Finding of No Significant Impact (FONSI) will become final and this initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the final documents.

Appendix D

Site Construction Plans

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Appendix E

Finding of No Significant Impact

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